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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,988	05/16/2005	Lasse Leino	OHMAN-002	1914
32954 7590 08/13/2010				
JAMES C. LYDON				
100 DAINGERFIELD ROAD				
SUITE 100				
ALEXANDRIA, VA 22314				
EXAMINER				
SHOMER, ISAAC				
ART UNIT		PAPER NUMBER		
1612				
MAIL DATE		DELIVERY MODE		
08/13/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10534988	5/16/2005	LEINO ET AL.	OHMAN-002

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EXAMINER

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ART UNIT	PAPER
1612	20100811

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Commissioner for Patents

Newly submitted claims 31-36 are directed to an invention that lacks a common special technical feature from the invention originally claimed for the following reasons: The special technical feature of the currently presented claims is a method of formulating a pharmaceutical composition. In contrast, the special technical feature of the elected claims is a method of treating a disorder curable by immunosuppression. See the restriction requirement dated 1 June 2006 and applicant's election dated 27 June 2006. As such, there is no common technical feature between the currently presented claims and the originally elected invention.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 31-36 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The amendment filed on 5 August 2010 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because of the reasons detailed above.

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD OF ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ISAAC SHOMER whose telephone number is (571)270-7671. The examiner can normally be reached on 8:00 AM - 5:00 PM Monday-Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frederick F. Krass can be reached on (571)272-0580. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Frederick Krass/
Supervisory Patent Examiner, Art Unit 1612

/I. S./
Examiner, Art Unit 1612